

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Reid W. von Borstel

Serial No. 09/838,136

Filed: April 20, 2001

Title: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL  
DISEASES

Atty Dkt. 1331-337

C# M#

TC/A.U.

1632

Examiner: Ganapathy Krishnan

Date: December 15, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment previously paid for	43	(at least 20)	=	2	minus highest number 0	\$ 50.00	\$ 0.00
Independent claims after amendment previously paid for	5	(at least 3)	=	1	minus highest number 0	\$ 200.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$360.00 (ignore improper)							\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$120.00/1 month; \$450.00/2 months; \$1020.00/3 months)							\$ 1,020.00
Terminal disclaimer enclosed, add \$ 130.00							\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00)							\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed							
<input type="checkbox"/> Submission attached							

**Subtotal \$ 1020.00**

If "small entity," then enter half (1/2) of subtotal and subtract

 Applicant claims "small entity" status.  Statement filed herewith

-\$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)

\$ 180.00

Assignment Recording Fee (\$40.00)

\$ 0.00

Other:

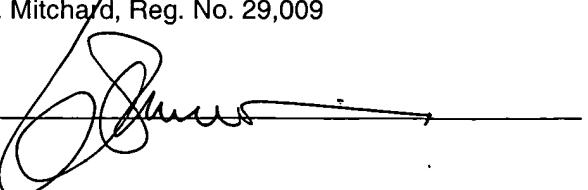
\$ 0.00

**TOTAL FEE ENCLOSED \$ 1200.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
LCM:ifm

NIXON & VANDERHYE P.C.  
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Reid W. von Borstel Atty. Ref.: 1331-337; Confirmation No. 2922

Appl. No. 09/838,136 TC/A.U. 1623

For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES

\* \* \* \* \*

December 15, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## AMENDMENT

In response to the Official Action mailed June 16, 2004 (for which petition is hereby made for a three-month extension of time), please amend the above-identified application as follows:

12/16/2004 YP01 TTE1 00000009 09838136

01 EC:1253 1020-00 OP